

## **FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR Thursday, February 24, 2011.**

John Clapp, Chair, called to order the regular meeting of the Frederick County Board of Appeals ("Board") for Thursday, February 24, 2011 at 7:00 p.m. in the 1<sup>st</sup> Floor Hearing Room in Winchester Hall. Present were Al Duke, Sean Michalski, Carole Jaar Sepe and Brad RR Dyjak. Also present were Michael Chomel, Senior Assistant County Attorney, and Planning Division staff Larry Smith, Zoning Administrator, and Rick Brace, Principal Planner II and Board Secretary.

*Official Minutes of the Board of Appeals' meetings are kept on file in the Planning Division.*

Mr. Clapp stated the rules and procedures for the hearing and swore in all persons who expected to testify at the meeting.

### **Approval of Minutes**

Mr. Clapp noted that the Board held no meeting in January due to weather. On a motion from Mr. Michalski, seconded by Ms. Sepe, the Board approved the minutes of December 20, 2010.

### **Cases**

#### **B-09-15                      T-Mobile c/o Greg Rapisarda and Erin Maheridis, Attys.**

Responding to the Federal Court ruling in the case, a motion to grant the request with one condition was offered by Mr. Michalski, seconded by Mr. Duke and adopted (Yeas – 3; Nays – 0; Abstain - Sepe, Dyjak).

#### **B-10-14                      Liberty Towers, LLC c/o Bruce Dean, Esq. (Continued from the January 27, 2011 hearing)**

The Applicant requested and was granted unanimously withdrawal without prejudice.

#### **B-10-16                      New Cingular Wireless PCS, LLC d/b/a AT&T Mobility LLC c/o Mark Simanowith, Esq.**

Requesting a special exception of a monopole communications tower 150 ft. tall with a 6 ft. lightening rod and a 50 ft. x 50 ft. equipment compound at the base, located on the south side of Debold Rd., 0.9 miles east of its intersection with Sabillasville Rd. (Tax Map 7, Parcel 151, Lot 1-B). Motion to grant with conditions by Mr. Duke, seconded by Mr. Dyjak adopted unanimously.

The meeting adjourned at 9:03 p.m.

Respectfully submitted  
Richard L. Brace  
Secretary

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John R. Clapp, Chair